

REMARKS

Reconsideration of this application is requested in view of the amendments to the claims and the remarks presented herein.

The claims in the application are claims 1 to 21 and 28 to 31, all other claims having been cancelled.

Applicants' attorney wishes to thank the Examiner in charge of the application for the courtesies extended to him at the interview on November 4, 2004 at which time, the advisory action and the amendment of August 23, 2004 were discussed.

The claims were rejected as being anticipated by the El et al '897 patent because the Examiner was of the opinion, as noted in the advisory action of August 9, 2004, that Applicants were reacting the same polymers as set forth in the reference and therefore, there was no distinction between the products.

Applicants respectfully traverse this ground of rejection since, as pointed out in the application as filed, the El et al reference uses a process which consists of forming a copolymer of a polysaccharidic polymer and a polycarboxylic non-saccharidic polymer.

As pointed out to the Examiner at the interview, the '897 patent relates to a copolymer of at least one polycarboxylic polysaccharide and at least one other non-cross linked polycarboxylic polymer which is not a polycarboxylic polysaccharide. In contrast thereto, Applicants' reaction is between copolymers and not polymers. The two copolymers are reacted to form a polymer wherein each non-cross linked polycarboxylic copolymer comprises at least one non-cross linked polysaccharide linked by covalent bond to at least one other non-saccharidic non-cross linked polymer with at least one of the polysaccharides and non-saccharidic polymers constituting the same non-cross linked copolymer is polycarboxylic. Applicants are submitting herewith a paper which was discussed with the Examiner at the interview and which had been previously submitted but for the convenience of the Examiner, it is being resubmitted herewith. This shows on page 1 that the copolymer of the '897 patent consists of at least one polycarboxylic polysaccharide and at least one other non-cross linked polycarboxylic polymer which is not a polycarboxylic polysaccharide.

In contrast to this, Applicants react not polymers but copolymer and illustrated are those of Examples 1 to 4 in the paper which illustrates the copolymers that are reacted with each other and not the polymers. Therefore, the polymers resulting from the reaction are completely different from those of the '897 reference. Therefore, withdrawal of this ground of rejection is requested.

REMARKS

Reconsideration of this application is requested in view of the amendments to the claims and the remarks presented herein.

The claims in the application are claims 1 to 21 and 28 to 31, all other claims having been cancelled.

Applicants' attorney wishes to thank the Examiner in charge of the application for the courtesies extended to him at the interview on November 4, 2004 at which time, the advisory action and the amendment of August 23, 2004 were discussed.

The claims were rejected as being anticipated by the El et al '897 patent because the Examiner was of the opinion, as noted in the advisory action of August 9, 2004, that Applicants were reacting the same polymers as set forth in the reference and therefore, there was no distinction between the products.

Applicants respectfully traverse this ground of rejection since, as pointed out in the application as filed, the El et al reference uses a process which consists of forming a copolymer of a polysaccharidic polymer and a polycarboxylic non-saccharidic polymer.

As pointed out to the Examiner at the interview, the '897 patent relates to a copolymer of at least one polycarboxylic polysaccharide and at least one other non-cross linked polycarboxylic polymer which is not a polycarboxylic polysaccharide. In contrast thereto, Applicants' reaction is between copolymers and not polymers. The two copolymers are reacted to form a polymer wherein each non-cross linked polycarboxylic copolymer comprises at least one non-cross linked polysaccharide linked by covalent bond to at least one other non-saccharidic non-cross linked polymer with at least one of the polysaccharides and non-saccharidic polymers constituting the same non-cross linked copolymer is polycarboxylic. Applicants are submitting herewith a paper which was discussed with the Examiner at the interview and which had been previously submitted but for the convenience of the Examiner, it is being resubmitted herewith. This shows on page 1 that the copolymer of the '897 patent consists of at least one polycarboxylic polysaccharide and at least one other non-cross linked polycarboxylic polymer which is not a polycarboxylic polysaccharide.

In contrast to this, Applicants react not polymers but copolymer and illustrated are those of Examples 1 to 4 in the paper which illustrates the copolymers that are reacted with each other and not the polymers. Therefore, the polymers resulting from the reaction are completely different from those of the '897 reference. Therefore, withdrawal of this ground of rejection is requested.

In view of the amendments to the claims and the above remarks, it is believed that the claims clearly point out Applicants' patentable contribution and favorable reconsideration of the application is requested.

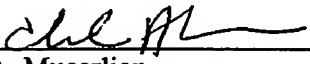
Respectfully submitted,
Muserlian, Lucas and Mercanti


Charles A. Muserlian, 19,683
Attorney for Applicants
Tel. # (212) 661-8000

CAM:ds
Enclosures

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.


Charles A. Muserlian

Date: November 19, 2004